

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILLIAM WELLS, et al.,

Plaintiffs,

v.

Case No. 2:11-CV-0217

JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE MARK R. ABEL

BRANDON RHODES, et al.,

Defendants.

ORDER

This matter is before the Court for consideration of Defendant Brandon Rhodes's Motion Instant to Modify the Agreed Preliminary Injunction (Doc. 60). This Court held an oral hearing in this matter on Monday, December 19, 2011. Pursuant to that hearing, Defendant Rhodes's motion (Doc. 60) is **GRANTED in PART**. The Court modifies the Agreed Preliminary Injunction (Doc. 18) with the following language pertaining to certain events at Highland High School:

- (1) **Basketball games:** If Plaintiff Shanay Gibson decides to attend a basketball game, she shall notify her attorney in advance by 4:00 p.m. the day before the game. Plaintiff's attorney will, in turn, communicate such a decision to Defendant Rhodes's attorney. If Plaintiff Gibson decides to attend a basketball game, then Defendant Rhodes may not attend. If Plaintiff Gibson decides not to attend a basketball game, then Defendant Rhodes may attend.
- (2) **Graduation:** Once she arrives at basic training in April, Plaintiff Gibson shall inquire into whether she can return home for Highland High School's spring graduation. The Court will defer ruling on this issue until that time.
- (3) **Softball games and awards ceremonies:** Defendant Rhodes may attend his sister M.R.'s softball games and awards ceremonies not scheduled during a basketball game, as Plaintiffs do not object to Defendant Rhodes being present at such events.

- (4) **Prom:** This issue is treated as withdrawn, as Defendant Rhodes has agreed that he will not attend the prom.

IT IS SO ORDERED.

12-19-2011
DATED


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE